

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GABRIEL RUIZ-DIAZ, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA,
et al.,

Defendants.

No. C07-1881RSL

ORDER DENYING MOTION TO STAY

This matter comes before the Court on “Defendants’ Motion to Stay Proceedings.” Dkt. # 42. Defendants argue that a stay is appropriate because the jurisdictional issues raised in this case are essentially identical to those presented in Shi’a Assn. of the Bay Area v. Chertoff, No. 07-10452, which is currently pending before the Ninth Circuit. “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” Landis v. North Am. Co., 299 U.S. 248, 254 (1936). Nevertheless, a litigant in one case will rarely be compelled to wait on the sidelines while a litigant in another case establishes the law that will apply to both. Id. at 255.


The parties have already filed, and the Court has already decided, a number of substantive motions in this action, including defendants’ motion to dismiss on jurisdictional grounds. A stay pending the Ninth Circuit’s resolution of Shi’a Assn. would not, therefore,

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1 avoid the possibility of conflicting opinions or necessarily promote judicial efficiency. More
2 importantly, the Ninth Circuit has not yet calendared Shi'a Assn. for argument or otherwise
3 indicated how long it will be before the jurisdictional issues in that case are resolved: a stay of
4 indefinite duration in the absence of a pressing need (and in the face of potential harm to
5 plaintiffs) is not justified. See Landis, 299 U.S. at 255.

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7 For all of the foregoing reasons, defendants' motion to stay is DENIED.

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9 Dated this 30th day of April, 2008.

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12 Robert S. Lasnik
13 United States District Judge
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